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*The Commonwealth of Massachusetts*

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ANNUAL REPORT

OF THE

**Civil Service Commission**

FOR THE

YEAR ENDING NOVEMBER 30, 1940

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DEPARTMENT OF CIVIL SERVICE AND REGISTRATION



# The Commonwealth of Massachusetts

## DEPARTMENT OF CIVIL SERVICE AND REGISTRATION DIVISION OF CIVIL SERVICE

### COMMISSIONERS OF CIVIL SERVICE

WILLIAM H. BIXBY, <i>Chairman</i> , Newton . . . . .	Term expires March 1, 1944
MARY L. BARROWS, Melrose . . . . .	Term expires March 1, 1945
JOSEPH JOYCE DONAHUE, Boston . . . . .	Term expires March 1, 1942
HERBERT B. EHLMANN, Brookline . . . . .	Term expires March 1, 1941
PHILIP V. ERARD, Springfield . . . . .	Term expires March 1, 1943

### DIRECTOR OF CIVIL SERVICE

ULYSSES J. LUPIN, Chelmsford

### LOCAL REPRESENTATIVES OF THE DIVISION OF CIVIL SERVICE

BROCKTON—MARY E. CONNOLLY, City Hall.  
CHICOPEE—JACOB J. STEFANIK, City Hall.  
FALL RIVER—HUGH T. MCNEILL, 57 No. Main St.  
FITCHBURG—FREDERICK J. MULHERN, Room 8, City Hall.  
GLOUCESTER—MRS. LUELLA MORROW, 46 Pleasant St.  
HAVERHILL—HERBERT D. CASSILY, 79 Main Street.  
HOLYOKE—MARY T. GRIFFIN, City Hall.  
LAWRENCE—CONCETTA PEREZ, City Hall.  
LOWELL—WARREN W. FOX, Appleton Bank Building, 174 Central Street.  
MARLBOROUGH—WILLIAM H. MURPHY, Corey Building.  
NEW BEDFORD—WILLIAM J. CARTER, 7 Municipal Building.  
NORTH ADAMS—FRED H. REAGAN, 41 Summer Street.  
PITTSFIELD—OSCAR S. READ, 7 North Street (mailing address, P. O. Box 522)  
SPRINGFIELD—ELIZABETH M. O'CONNOR, City Hall.  
TAUNTON—HOWARD A. BRIGGS, care of City Treasurer.  
WORCESTER—MRS. ANNIE B. PROULX, Room 7, City Hall.

### CIVIL SERVICE LABOR REGISTRATION CLERKS

ARLINGTON—JOHN E. DONOVAN, Town Hall.  
BROCKTON—MARY E. CONNOLLY, City Hall.  
BROOKLINE—AGNES O'HARE, Town Hall.  
CAMBRIDGE— — — — —. (Registration now at Boston office.)  
CHELSEA—KATHLEEN L. BUCKLEY, City Hall.  
CHICOPEE—JACOB J. STEFANIK, City Hall.  
DEDHAM— — — — —. (Registration at Boston office.)  
EVERETT—FLORENCE L. ROBERTON, City Hall  
FALL RIVER— — — — —. (Registration now by mail at Boston office.)  
FITCHBURG—FREDERICK J. MULHERN, Room 8, City Hall.  
GARDNER— — — — —. (Registration at Boston office.)  
HOLYOKE—MARY T. GRIFFIN, City Hall.  
LAWRENCE—MARY F. GILLEN, City Hall.  
LOWELL—PATRICK J. REYNOLDS, Hildreth Building.  
LYNN—MARY E. MORAN, City Hall.  
MALDEN—MAY WELCH, City Hall.  
MARLBOROUGH—BEATRICE L. GRENIER, City Hall.  
MEDFORD—A. A. LUCEY, City Hall.  
NEW BEDFORD—WILLIAM J. CARTER, 7 Municipal Building.  
NEWTON—ANDREW PRIOR, City Hall.  
NORTH ADAMS—  
NORWOOD—Registration at Boston office.  
PITTSFIELD—  
QUINCY—EVELYN T. BARRETT, Assessors' Office.  
REVERE—M. ELIZABETH PERSON, City Hall.  
SOMERVILLE— — — — —. (Registration now at Boston office.)  
SPRINGFIELD—ELIZABETH M. O'CONNOR, City Hall.  
SWAMPSCOTT— — — — —. (Registration at Boston office.)  
WALTHAM—LEO J. HINCHLEY, City Hall.  
WATERTOWN— — — — —. (Registration at Boston office.)  
WORCESTER—MRS. ANNIE B. PROULX, Room 7, City Hall.

## ANNUAL REPORT

*To the Honorable Senate and House of Representatives in General Court assembled:*

In accordance with the provisions of section 30, Chapter 31 of the General Laws, we herewith submit the fifty-seventh annual report of the Division of Civil Service of the Department of Civil Service and Registration, covering the period from December 1, 1939 to November 30, 1940.

This report covers the first complete year under the administration of the present Civil Service Commission and the Director as provided by the amendments to the statutes in 1939. Since their appointment in May, 1939, there has been no change in the membership of the Commission. Mrs. Mary L. Barrows, whose original appointment expired, was re-appointed by the Governor on March 1, 1940, for a term of five years.

We take this opportunity to record the Commission's continued confidence in and satisfaction with the administration of the Director, Mr. Ulysses J. Lupien, whose annual report for the year ending November 30, 1940, is included as a part of this document. We have approved the comments and recommendations contained therein as being in line with our mutual ideas as to steps necessary to advance the civil service system in this State as a true merit system.

There is included also a copy of our recommendations to the next session of the Legislature, as required by G. L. 30, s. 33. We will appear at committee hearings on these and other proposed bills affecting civil service and state our position on such matters as we feel appropriate under the responsibility placed on us by the statutes.

We will be available at all times for any assistance we may be called on to render to your honorable body in your consideration of bills affecting the operation of the merit system.

It is our belief, supported by the general testimony of those who have business with the Division, that the present organization set-up is suited to and adequate for the administration of the Civil Service Law and Rules. The statute requires us to call to your attention any new rules which have been adopted during the period covered by this report. No changes have been made. The rules have not been revised for many years and some of them have been superseded by recent amendments to the statutes, making revision an important present responsibility of the Civil Service Commission. It seems wise, however, to hold back on the completion of the revision which has been in process for several months, so that when finally recommended to the Governor and Council for approval, as required by law, the rules will be consistent with the statutes. As soon as it is possible to act with due consideration to statutory changes now under consideration, we will recommend changes in rules as called for.

THE DIRECTOR'S ANNUAL REPORT TO THE COMMISSION

December 1, 1940.

MR. WILLIAM H. BIXBY,  
CHAIRMAN, CIVIL SERVICE COMMISSION  
STATE HOUSE,  
BOSTON, MASSACHUSETTS.

*Dear Mr. Bixby:*

I am submitting herewith a brief outline of the operation of the Division of Civil Service during my first year as its Director, beginning December 1, 1939. This report is prepared not so much with a view of contrasting conditions prior to that date with those subsequent to it but rather to give a brief résumé of some of the chief points of accomplishment.

This report is submitted in accordance with the provisions of Section 2A (h) of Chapter 31, General Laws.

Very truly yours,

(s) ULYSSES J. LUPIN,  
*Director of Civil Service.*

December 1, 1940.

TO THE MEMBERS OF THE CIVIL SERVICE COMMISSION,

## 1. OBJECTIVES OF THE DIVISION

The basic principles upon which the department is and has been operating are to:

1. Improve the service in order that the best qualified applicants may be selected to fill the various positions;
2. Afford greater protection to persons seeking civil service positions;
3. Render efficient and prompt service to appointing authorities;
4. Afford maximum protection of seniority rights of all civil service employees;
5. Eliminate corrupt practices of job selling and illegal employment;
6. Maintain an efficient civil service at a minimum expense to the taxpayer.

## II. ADMINISTRATIVE PROBLEMS

During the last ten years the number of applicants per year for civil service positions has increased from 22,251 to 62,975. During this same time the total number of civil service employees, including State, cities and towns, has increased from 42,501 to 49,826. During this same time the standards have changed very materially, especially in the fields of social work, thereby making the administrative problems of this Division much more complex.

In order that the burden on the taxpayers might be reduced to a minimum, and that the effort required for each employee of this Division might be kept within reasonable bounds, a considerable amount of study has been given during this last year to eliminating unnecessary work wherever possible, with the result that the quality of service has been increased and it has been found that not only has each employee all the work that he or she could be called upon to do but, in addition, if the ever increasing demands are to be met, it will become necessary to increase the permanent personnel of the Division. More of the details of the administrative problems, together with changes that have been made, or are contemplated, will be found in the subsequent sections of this report.

## III. MENTAL EXAMINATIONS

A. *Establishment of Eligible Lists*

General Laws, Chapter 31, Section 15, requires that eligible lists must be established within six months after authorizing of provisional appointments. Experience demonstrates that in order to meet these very rigid requirements, steps must be taken to shorten the time required to establish lists.

This has been accomplished in part by:

1. Elimination of unnecessary examinations through the use of substitute lists;
2. Speedier handling of disabled veterans' cases;
3. Closer cooperation between the appointing authorities and the Division of Civil Service;
4. Conferences with groups and associations, such as police chiefs and police associations, fire chiefs and fire associations, social workers, occupational therapists, librarians, recreational workers, municipal associations, and nurses.

During the past year it has been the aim, and during the succeeding year it will be the constant aim of the department to improve in every way possible the system of examinations with a view to making the individual examination more directly adapted to the requirements of the job because of the fact that the examinations are the heart of the Civil Service.

A definite program has been adopted to facilitate the establishment of lists by:

1. Requesting department heads to submit duties and responsibilities of the position in detail, as soon as it is known that a vacancy exists;
2. Maintaining a careful check on each step of the examination procedure to eliminate unnecessary details;
3. Refusing to grant authorization for provisional appointment until the Director has received all necessary information and is satisfied that no suitable list is available.

#### *B. Appeals*

The procedure in appeals is as follows:

1. The applicant reviews his examination papers and prepares an appeal on the prescribed form indicating the points on which the appeal is based;
2. The appeal is then referred to the examiner for a complete report;
3. A copy of the report is then sent to the applicant;
4. If the applicant is then dissatisfied, he requests a hearing before the Director;
5. At the hearing the applicant presents whatever information he desires, and the Director, from the report of the examiner, indicates what the specific answer should have been, together with the reason for the low marking on the individual question;
6. After the Director notifies the applicant of the result of this hearing the applicant may, if he so desires, enter an appeal to the Civil Service Commission.

#### *C. Time Allowed for Taking Examinations*

Experience has proven that in a number of instances in the past the applicant was more restricted in time than was advisable and, therefore, arrangements have been made whereby more time is allowed to answer questions, and, in a number of instances, the total number of questions has been materially reduced. This change should result in fewer appeals and in more satisfactory lists.

#### *D. Consultant Service*

During the past year many conferences have been held with various groups, relative to a number of examinations, and it is intended that this practice will be followed on a larger scale in the future. Many valuable suggestions have been given to me by the various consultants, and their valuable cooperation has assisted the examiner in preparing examinations that were more in keeping with the requirements of the position.

#### *E. Announcements of Examinations*

Some improvement has been made in connection with announcements for examinations in order that they might more clearly reflect the salary, duties, responsibilities and requirements of the position for which the examination is to be held. It is intended that a greater change will be made during the coming year, involving the publication of the factors that are to be considered in rating experience, and furthermore, clarifying the contents of the examination. These changes are to be made to assist the applicant in preparation for the examination as well as to indicate to the applicant those types of examinations for which he or she is not qualified, thereby eliminating unnecessary applications and examinations.

#### *F. Publicity for Examinations*

Greater publicity has been given to examinations, especially for the higher grade positions, in order that examinations may be brought to the attention of persons who are most capable of filling available positions.



### *G. Improvement of Examinations*

With a view to improving the quality of the examination, in order that more stress may be laid on the actual knowledge of the applicant relative to the subject, instructions have been issued to each examiner to:

1. Eliminate ambiguous questions;
2. Base the examinations on the duties and responsibilities as set forth by the department head;
3. Eliminate catch questions;
4. Allow ample and sufficient time to complete the required questions.

In order to minimize the necessity of memorizing laws, regulations, and tables which would, in practice, be at the disposal of the applicant, in examinations for higher grade positions the applicant is now allowed to use reference data.

### *H. Investigation of Experience*

Due to lack of funds the Division has found it impossible in the past to investigate the experience which is set forth by the applicant. This has resulted in many injustices to the interests of persons who have set forth their experience honestly. It is intended to request additional funds in order that this check may be made before the examination is held, thereby eliminating persons whose experience is insufficient as well as those who have falsified their experience.

### *I. Wax-Proofing of Examination Papers*

Without doubt the majority of applicants for Civil Service positions are willing to compete honestly for positions, and do not alter in any way their answers as originally set forth. However, enough cases have developed to prove that applicants who have come to this Division to review their papers have made such alterations. Therefore, a new system has been installed which will permit the waxing of the papers before they are reviewed, so that no changes can be made without detection.

### *J. Police and Fire Demerits and Suspensions*

It has been the procedure in the past to request records from the police and fire departments of suspensions and demerits of only those applicants for promotion who had successfully passed the mental examination. This has led to an erroneous impression that information relative to standings on the list had been released to the appointing authority prior to the date of the establishment of the list. The procedure has now been changed so that this information is requested on all applicants immediately after the mental examination.

### *K. Safe Guarding of Examinations*

Protest has been made that it was fairly easy for an unauthorized person to come to the office and see examination papers. The following policy has been established to eliminate this practice, which requires:

1. That the person requesting papers of another applicant must present a signed authorization from the applicant, which authorization must name the person requesting permission to see the papers;
2. The signature on the letter of authorization must be compared with the signature on the original application paper.

As soon as additional space is made available, it is planned to place the files of all examination papers in a central filing room to which no person will have access except those who are regularly employed in such room.

L. Fees for Examinations

Considerable study has been devoted to the question of charging nominal fees for examinations to help defray the costs of conducting the examinations. In collaboration with a sub-committee of the Ways and Means Committee, a plan is now being worked out, and legislation will be introduced at the next session of the Legislature.

M. Research Work

There is a very urgent need for research work in this Division so that our system of examinations may be improved. This cannot be accomplished unless we are given the funds necessary to carry on this work. I have requested funds for this purpose in the Budget which has been submitted.

N. Merit System Examinations

The Federal Government has ruled that persons employed under Federal Grants or in departments supported in whole or in part by Federal Funds, such as State Health Department, State Public Welfare, and State Treasurer's Department, must qualify by examination for the positions in which they are employed, and that any new appointees must first qualify by examination. The various departments affected did not have the facilities to conduct examinations and, therefore, requested that the Division of Civil Service do this for them. We, therefore, examined investigators, social workers, clerks and stenographers, and are making arrangements for the examination of many more. The entire cost of conducting these examinations, including the services of persons regularly employed in this Division, has been defrayed by the United States Government.

O. Number of Competitive Examinations Held

The number of competitive examinations held during the last fiscal year is as follows:

	Promotional Competitive	Open Competitive
Boston . . . . .	15	23
State . . . . .	67	53
Other Cities and Towns . . . . .	64	131
	<hr/> 146	<hr/> 207

The ratio between promotional competitive and open competitive examinations shows an increasing tendency toward promotional examinations and is indicative of the fact that every effort is being made to advance a career service.

P. Non-Competitive Examinations

As stated in my report of December 1, 1939, the policy relative to the granting of non-competitive examinations has been to keep them down to an irreducible minimum. The following table, showing the numbers and kinds of non-competitive examinations held from December 1, 1939 to December 1, 1940, demonstrates that this policy has been carried out. No non-competitive examination for promotional purposes was held until the head of the department had made a specific request, and it was demonstrated that the non-competitive examination was a last resort, or the only fair thing to do.

The non-competitive examinations held during this last fiscal year may be subdivided into the following classes.

1. *Original non-competitive examinations* held under G. L. Chapter 31,  
Section 15, clause a. 3

In each of these instances, in spite of the fact that an open competitive examination had been advertised and held, it was found impossible to establish an eligible list.

2. *Mandatory non-competitive qualifying examinations* held under G. L. Chapter 31, Section 49A. 8

Whenever a municipality votes to place the incumbent of a position under civil service, it is mandatory on the Director of Civil Service to give a non-competitive examination to the incumbent to test his fitness.

3. *Non-competitive examinations* to cover in new positions as provided by G. L. Chapter 31, Section 15, clause b, held on recommendation of the Director supported by four affirmative votes of the Commission. 4

In these cases positions not previously considered classified under civil service were classified by statute or rule. These were positions that had not been considered classified under civil service by previous administrations. In each of these instances, it was felt that for the best interest of the merit system any such persons should be subjected to a non-competitive examination, even though the law provides that such positions may be covered in without examination.

4. *Qualifying non-competitive examinations* held under G. L. Chapter 31, Section 15. 3

In each of these instances the qualifying examination was given for the position of matron of an infirmary who was the wife of the superintendent, and it was required that the superintendent of the Infirmary be a married man. The position of superintendent of the Infirmary was not classified under civil service.

5. *Non-competitive examinations for transfer* held under G. L. Chapter 127, Section 11. 1

Under this law an officer in a jail or house of correction transferred to the State Prison, Massachusetts Reformatory, or the prison camp and hospital as a correction officer must be given a non-competitive examination.

6. *Promotional non-competitive examinations.* 31

Persons given these examinations were persons in most instances in the service for many, many years and entitled to promotion. In the majority of instances there were less than four persons in the lower grades, and the only other alternative would have been open competitive examinations, which would not have reflected the true spirit of the merit system. The average length of service of these persons is 16 years.

Each of the foregoing cases has been covered in detail in the monthly reports of the last year, which may be seen at the office of the State Librarian.

As soon as a non-competitive examination is authorized, the name and other pertinent facts are given to the press.

#### IV. MEDICAL EXAMINATIONS

##### A. Fewer Physical Examinations

Prior to November of 1939, it was the custom to examine physically all persons who were placed on eligible lists, including applicants for police, fire, janitor and correction officer services, investigators of all kinds, and many other classes. This meant roughly the examining of 14,000 applicants a year, whereas approximately 2,000 were appointed to permanent positions. This practice resulted in an overwhelming proportion of unnecessary physical examinations, and furthermore, meant in many cases that a period of nearly two years might elapse between the physical examination and the date of appointment, during which time the physical condition of the applicant might have changed. This very large number of examinations made it impossible for the examining physician to make thorough examinations. The examining of an applicant physically also raised the applicant's hopes of appointment, whereas, in fact, there was very little chance of appointment of any except the first few on the list. As a result of a thorough study a policy was adopted which provided for the examining of only those persons who were

to head the list, and thereafter to examine only as the needs of the service require. This change in policy made it possible to:

1. Reduce the work of the examining physicians to such a degree that it was possible to eliminate the services of one doctor.
2. Render improved and quicker service.
3. Assure appointing authorities that applicants are physically qualified at the time of actual certification and not two years previous to such certifications.

The average number of applicants examined physically each year from December 1, 1929 to December 1, 1939 was 14,124.

The number examined, under the new policy, from December 1, 1939 to December 1, 1940 was 4,596.

#### *B. More Thorough Physical Examinations*

In the past, due to the extremely large number of physical examinations which were given, it was practically impossible for the examining physician to make a sufficiently thorough examination. However, with the changes which have been made it is now possible for the examining physician to greatly improve the quality of the examination.

In order to reduce the number of appeals that are made in connection with examinations, such as police, fire and correction officer services, which specify a minimum height and weight requirement, the examining physician is required at the time of such examination, wherever the applicants fail to meet the requirements, to re-measure or re-weigh the applicant a second time, and then to cause the applicant to initial the examination sheet, showing that his attention has been called to his failure to meet the requirements.

#### *C. Changes in Physical Requirements*

Until June, 1940, there were no specific requirements for life guards or swimming instructors, with the result that a number of persons who had been employed for several years were found to have defective vision. A change has been made whereby applicants for such services must pass a vision test of 20/30 in each eye without glasses.

In a relatively small group of positions it will be necessary to consider very carefully the physical requirements, in order that the employee may be protected from possible injury and that the State or Municipality may suffer no loss.

#### *D. Strength Tests*

To assure applicants that every precaution is being taken to protect their rights the following policy has been adopted:

1. At the completion of each unit of the test the examiner will announce the results to the applicant and will not move the dial until the applicant sees it.
2. At the completion of the test the examiner will give the applicant a carbon copy of the results obtained by him.
3. The examiner will have the applicant sign the original form which includes his performance on each unit.

Considerable research work is being done by this Division so that improvement may be made in both the physical examinations and the strength tests.

#### *V. SPECIAL LISTS*

During the past year a change has been made relative to the establishment of Special Lists. As provided under the civil service rules the name of a person who has lost his position through no fault or delinquency of his own is placed on a Special List, and vacancies to fill positions are filled from the Special List before names are certified from the regular list. Immediately after receipt of notice of termination of services, names are placed on the Special List, whereas in the past the names were included only after specific request in writing by the person affected.

## VI. APPLICATIONS

A. *Two Filing Dates*

In the past there were two filing dates for State-wide examinations, namely, one for persons residing in State and Metropolitan Boston, and another for persons residing in outside cities and towns. This resulted in a great deal of confusion and delay in the handling of applications, and the notifying for examinations. A change has now been made whereby there will be only one filing date for all applicants for a given examination.

B. *Review of Applications*

The applications of persons are reviewed and close scrutiny is given to the applications of all applicants both for promotion and in entrance to the service. More careful investigation of court records is being made to eliminate undesirable persons from taking examinations.

C. *Age Limits Fixed*

Conforming to the general policy of not employing persons under eighteen years of age, and due to the fact that most department heads object to certification of the names of persons under eighteen years of age, and that the State pension law, and that of most cities, compels retirement at seventy years of age, applications for those under eighteen and over seventy years of age are not accepted.

## VII. CERTIFICATION PROCEDURE

A. *Substitute Lists*

When a requisition is received and there is no existing list available a careful check is made to ascertain if there is not another list in existence which is based on duties that are similar to those governing the requisition on file. This practice has resulted in a saving to the Commonwealth, as well as creating additional opportunities for persons who have passed civil service examinations. It also avoids delay in filling the position. This procedure has been followed in ten cases during the last six months.

B. *Unofficial Lists*

A custom had grown up over a period of years whereby unofficial lists were sent to appointing authorities without requisition first being received. This custom in some instances made it possible for appointing authorities to circumvent the intent of the merit system, and to appoint privileged individuals whose name could not have been reached ordinarily. This practice has been discontinued and no lists are sent except where requisitions are made to fill existing vacancies.

C. *Requisitions on Prescribed Forms*

To have no doubt of the nature of each position, its duration, salary, etc., all requests to fill positions must be on forms prescribed by this Division. The practice of allowing requisitions by letter and telephone has been stopped.

D. *Declination of Appointments*

In a number of instances in the past persons who were at the top of lists and eligible for appointments have refused to accept positions because of fear of reprisal or for other reasons, with the result that additional names were submitted, thereby permitting favored individuals to obtain positions to which they were not entitled. A policy has been instituted requiring each person to give a definite reason for a declination before any additional names will be certified.

## VIII. APPOINTMENTS

*A. Advance Notices of Expirations of Authorized Periods*

The introduction of a new "discharge" blank, giving the department head advance notice of the date of expiration of his provisional and temporary employees' appointments has eliminated the practice of continuous illegal employment beyond the periods authorized and decreased the number of cases in which it has been necessary to withhold payment of compensation.

## IX. ELIMINATION OF FRAUD AND CORRUPTION

Investigations have demonstrated that in a number of instances applicants have been required to pay for their positions. That this practice tends to completely undermine the entire structure of civil service needs no argument. In order to offset this practice, a policy has been instituted whereby each person who is appointed to a civil service position must sign the following statement which appears on the notification of appointment blank:

1. "I hereby certify that I have paid no money nor agreed to pay any money in anticipation of or as a result of my appointment.
  2. To the best of my knowledge no other person has paid any money nor agreed to pay any money in anticipation of or as a result of my appointment.
- As a part of my application for appointment, these statements are made under the penalties of perjury."

Many complaints of job selling resulted in a thorough investigation by this Division in several localities, which has shown that the service was being disrupted by unscrupulous appointing officials demanding compensation for appointing persons who had obtained positions at the top of lists through merit. My earnest endeavor is to attempt to clean up these situations so that the public may be sure of an honest civil service. Prosecutions based upon these inquiries are now in progress.

Requests for investigations of the service of whole cities, or departments, have been made on me by appointing officials, elected officials, and by employees themselves, involving charges that persons are illegally employed. This Division has only one permanent investigator. The futility of attempting to have this lone investigator cover all such requests is obvious. We have also had the valuable cooperation of the State police in this attempt to cleanse the civil service of corruption and the members of the Commission have devoted much time to this important task. However, our facilities are too limited at present to conduct anything more than sporadic investigations. Request is being made of the incoming Legislature for funds to enable me to assure an honest and graft-free operation of the Civil Service Law, Rules, and Regulations.

## X. PAYROLLS AND PAYROLL RECORDS

Under previous regulations, cities and towns, with the exception of Boston, were required to submit only one weekly payroll a month for purposes of checking for illegal employment in this office. Investigation, however, disclosed the practice by some heads of departments of omitting illegalities on the particular payroll submitted. Department heads, therefore, have been requested to send in payrolls for every week of the month. This has stopped much illegal employment and the registering of many complaints by persons on the list who were entitled to this work if work was available.

## XI. EXTENSIONS OF CIVIL SERVICE

During the past year the following cities and towns have accepted civil service as noted:

*Lawrence Chief Fire Department . . . . .	December 12, 1939
*Lawrence City Marshal . . . . .	December 12, 1939
Athol Fire (including Call) . . . . .	February 19, 1940
*Hull Superintendent of Streets . . . . .	March 4, 1940

*Framingham Board of Health Agent			
*Framingham Town Engineer			
*Framingham Soldiers' Relief Agent		March	4, 1940
*Merrimaek Chief of Police		March	4, 1940
Lawrence Labor Service		March	15, 1940
*Weston Agent Public Welfare		March	25, 1940
Norwood all employees not already classified		March	28, 1940
*Ipswich Manager Municipal Water and Light Department		November	5, 1940
*Marlborough Fire Chief		November	5, 1940
*Fall River, Commissioner of Public Works			
City Auditor		November	5, 1940
City Clerk			
*West Springfield,			
Supt. of Streets and Sewers		November	5, 1940
Town Accountant		November	5, 1940
*Worcester Treasurer and Collector of Taxes		November	5, 1940
*Woburn City Auditor		November	5, 1940
*Haverhill Supt. of Public Buildings		November	5, 1940
*North Attleboro Superintendent of Streets		November	5, 1940
*North Adams City Auditor		November	5, 1940
*Shirley Chief of Police		November	5, 1940
*Wayland Chief of Police		November	5, 1940
North Adams Labor Service		November	8, 1940
Pittsfield Labor Service		November	26, 1940

\*Positions classified by Section 49A, Chapter 31, G. L.

These extensions of civil service have been followed by thorough investigations to be sure that only those persons entitled to it are given this protection. In connection with the classifying of various positions under civil service a new form is now used requiring the employee to state all facts concerning his citizenship, thus ensuring that only citizens be so classified.

## XII. VETERANS' PREFERENCE

Veterans are entitled by law to a certain definite preference (see G. L. Chapter 31, Sections 21, 22, 23, 24, 25, & 46G).

I have at all times exhausted every avenue to make certain that veterans are given that preference. Numerous conferences have been held with representatives of the American Legion, Veterans of Foreign Wars, and the Disabled American Veterans of the World War. My relations with these groups have always been friendly and they have been most cooperative at all times. Together we have settled satisfactorily many problems. A few of the policies established tending to aid veterans are:

### *Disabled Veterans' Appeals*

1. Previously lists were established without allowing the applicant claiming disabled veteran's preference sufficient time to have any appeal heard. Now, the disabled veteran is examined physically immediately after the mental examination, and all information from the Veterans' Bureau is obtained at this time. This allows the veteran ample time to have any appeal settled long before the establishment of the eligible list, and has also resulted in the establishment of eligible lists at an earlier date.

### *Physical Examination by Specialists*

2. Veterans who do not agree with the report of our medical inspectors or Medical Board are given the privilege of being examined by specialists connected with the Chelsea Soldiers' Home. Many of these veterans are not working and can ill afford to pay an outside specialist's fee.

### XIII. CLASSIFICATION

Section 2A, clause (b) of Chapter 31 of the General Laws provides that the Director shall establish, with the approval of the commission, classification plans for all cities and towns subject to the provisions of this chapter. During the past year the civil service positions in the City of Springfield have been reclassified through the excellent cooperation given by the Mayor and the members of the Personnel Commission of that City. This reclassification places all civil service positions in classes based on the duties required for each position and results in the elimination of much duplication that originally existed. The classification in no way alters the seniority rights of existing employees, and, furthermore, should serve as a guide for persons who are seeking promotion and advancement in the service.

It is intended during the coming year to extend this reclassification service to other cities and towns as far as funds and time will permit, with a view to standardizing positions of a similar character throughout the Commonwealth. Inasmuch as the reclassification of any city involves a great deal of detail, it is evident that a number of months will elapse before all the details for any particular city may be completely and satisfactorily determined. Under the law, classification of State positions is under the jurisdiction of the Department of Administration and Finance.

It is evident that in order to carry on this work additional funds must be provided and that the personnel of the Division be increased, if the work of reclassification is to be carried to a successful conclusion.

### XIV. PROTECTION OF SENIORITY RIGHTS

#### A. *Notice of Loss of Seniority Rights*

When request is made for transfer of an employee from one branch of the service to another, such transfer is not approved until the employee has been informed of the fact that he will, if his transfer is approved, receive a new seniority date.

#### B. *Transfers*

Before transfers, changes in rating, or promotions are approved of persons in the Labor Service, persons senior in service are contacted to see if they desire consideration. If they do, and are qualified, the transfer is not allowed.

#### C. *Seniority Date on Reinstatement*

If absence of an employee is not caused through fault of his own, the Director, in his discretion, now allows the employee to retain his original seniority date. It was previously the policy when an employee was absent because of injury incurred in line of duty to give that employee, when reinstated, a new seniority date. This was obviously an injustice, and the policy has been established of allowing such an employee to be reinstated without loss of seniority rights, even though the disability may have occurred within the probationary period.

### XV. PUBLICITY

#### A. *Newspaper Clippings*

The Publicity Agent of the Division keeps a file on all publicity given to matters pertaining to the work of this office, so that we may be familiar, at all times, with public opinions and reactions, and that we may be guided by them in developing methods for the improvement of the Massachusetts Civil Service System.

#### B. *Press Information*

The request for more and more information on civil service matters from the general public and the press has led to my policy of increased publicity of activities of the Division.



Notification of certifications, and examinations, both competitive and non-competitive, are given to the press the day they are effective. Any major change in policy is also given publicity and members of the press are welcome at all times to all information which is available.

## XVI. MANUALS

The need for a new police and a new fire manual was apparent on account of the many changes in fire and police technique. A personal study of these old manuals convinced me of this need.

Consequently after consultation with leading members of the police and fire organizations and department heads new and up-to-the-minute manuals have been published. The first editions of 10,000 copies of each manual are now exhausted. The cost of the new fire manual was increased to 25 cents. This has meant additional revenue to the Commonwealth.

Work on the preparation of a manual for correction officers and parole officers is now being done, and it is expected to have these ready for publication in a reasonable time.

## XVII. LABOR SERVICE

### A. *Practical Tests*

The following is a list of the practical tests which have been given for the Labor Service during the past year:

Date	City	Test	Passed	Failed
5. 8.40	Medford	Gardener & Gardener-Laborer	5 G. L. only 2 G. L. & Gardener	3 G. L.
5.13.40	Brookline Cambridge	Gardener & Gardener-Laborer	10 G. L. 2 Gard., Gard.-Lab. & Scien. Gard.	5 G. L.
6. 7.40	Cities & State	Treeclimber	11	4
5.21.40	Boston & State	Lifeguard	35	3
5.22.40	Boston, State & Cities	Lifeguard	34	9
6. 6.40	Springfield	Lifeguard	4	0
6.11.40	Worcester	Lifeguard	7	5
6.12.40	Boston, State & Surr. Cities	Lifeguard	13	8
6.19.40	Brockton	Lifeguard	22	4
6.27.40	Lowell	Lifeguard	11	8
7.25.40	Lawrence	Lifeguard	12	9
7.26.40	Worcester	Lifeguard	10	1
7.30.40	Everett	Truck Driver	2	4
7.30.40	Revere	Gas Roller Opr.	1	1
8. 6.40	Everett	Truck Driver	5	4
8.16.40	Revere	Gas Roller Opr.	1	0
10.11.40	Boston	Gardening-Lab.	4	8
10.18.40	Boston	Gardening-Lab.	9	10
10.25.40	Boston	Gardening-Lab.	8	20

In each instance we have endeavored to obtain the services of examiners who appreciate the needs of the individual services, and who were not too theoretical.

To qualify for the majority of skilled positions in the Labor Service at the present time it is only necessary to submit references from former employers, which are verified. I realize that practical tests should be given for most of these positions. The appropriation of this Division is so limited that this is not possible at the present time. I hope that sufficient funds will be appropriated at the next session of the Legislature so that practical tests may be given for all skilled positions.

### B. *Physical Examinations*

Physical examinations were previously given only to applicants from Boston and outside cities and towns. Realizing that the State is also entitled to be assured that

the persons certified for employment are physically qualified, labor applicants for State positions are to be notified for physical examinations.

### C. *Number of Applications Filed and on Lists*

During the past year 7,692 new applications were filed as follows:

Boston	State	Other Cities
1,374	1,454	4,864

There are at the present time on the labor list:

Boston	State	Other Cities
12,932	12,863	19,847

### D. *Labor Aims*

It is evident that a system must be developed in connection with the Labor Service that will permit closer flexibility and encourage greater versatility, especially for the following reasons:

1. Due to the Selective Service Act, and the increasing volume of employment in what might be termed war preparation activities it is certain that there will develop a shortage of labor.
2. It is desirable to maintain as great a continuity of employment as possible in order that the employees may receive what approximates an annual wage.
3. It is necessary that employees be transferred from one type of work to another so that they may be employed more continuously and that municipalities and the State may secure a greater efficiency of operation.

## XVIII. MILITARY SUBSTITUTES

### A. *Protection of Civil Service Rights*

To ensure protection of civil service rights to persons inducted into the military or naval service of the United States for the duration of the Selective Service Act the following policies have been adopted.

Whenever a vacancy occurs by the entrance of a permanent employee into the military or naval service of the United States, the appointing authority must note on the requisition blank:

1. The fact that the person to be appointed in his place will be a "military substitute";
2. The name of the person entering the military service;
3. The last date of his employment.

Upon receipt of such a requisition, names will be certified to the appointing authority from the appropriate eligible list and the person so certified will be notified by this department that, if appointed, his employment will be that of a "military substitute"; that the term of his employment will be indefinite but, in most cases, will be approximately one year; that if at the end of the former employee's period or periods of service he resigns, secures other employment, or continues in the military or naval service voluntarily, beyond the period of his original enlistment or enrollment under emergency defense acts, or for any other reason fails to return to his civil service position, the person so appointed as a "military substitute" will be considered as having had a permanent status since appointment.

The names of the persons appointed as "military substitutes" will remain on unexpired eligible lists. As requisitions are received, certification will be made from eligible lists and persons employed as "military substitutes", if their names are in a position to be reached, will be certified in the usual manner. In the event that a person employed as "military substitute" is appointed to fill a regular vacancy, it would then be necessary to forward requisition for the appointment of another military substitute.

Persons joining the military service will be considered by this department for the present as being on leave of absence, and so recorded.

### *B. Policy Established for Protection of Members of Police and Fire Departments*

1. If a regular patrolman or fireman is inducted into or volunteers for service in the military or naval service of the United States for the duration of the Selective Service Act, his position shall be covered by the employment of a member of the regular reserve force.
2. If a permanent vacancy occurs in the department through the death, resignation, or by any other cause, of a regular patrolman or fireman, and if the reserve officer who would have been selected to fill this permanent position is inducted into or enlists in the military or naval service for the duration of the Selective Service Act, his name will be certified for the permanent appointment and such appointment shall be made, if satisfactory to the appointing authority. In this event, his position as a member of the regular force will be covered by the employment of a member of the regular reserve force.
3. If a promotional examination becomes necessary and persons eligible to take it have been inducted into or have enlisted in the military or naval service of the United States for the duration of the Selective Service Act, notification will be sent to such eligible applicants of the date of the promotional examination, and if they desire to take such examination, arrangements will be made by the Division of Civil Service so that the examination may be taken in whatever jurisdiction they may be located.
4. If such persons qualify on the list in a position to be certified, their names will be certified, and if the appointing officer desires to appoint them, such appointment will be approved by this Division, and the position in the interim may be filled by a temporary appointment.

### *C. Military Substitute Record*

An up-to-the-minute record is being kept so that we may be aware at all times of the number of employees entering the military service, and the number of persons appointed to fill their places.

### *D. Termination Notice*

In order to more fully protect the interests of the persons who are leaving to enter the military and naval service it is proposed to introduce a form of termination notice.

## *XIX. Monthly Reports*

The present law requires that the Director submit to the Commission on the tenth of each month a report of the Division's activities. A copy of this report is filed by law with the Governor and Council, and the State Librarian. In addition to covering in this report what the law requires, we have endeavored to include any items which may be of interest or value to the public.

## *XX. PROPOSED LEGISLATION*

The following are some of the changes which I have suggested might be included in your report to the Legislature on proposed changes in the law.

1. That all inspectors of plumbing be placed under civil service.
2. That the law be changed to allow continuance of provisional appointments in cases where it has been found impossible to establish lists to fill permanent positions within six months in departments, institutions or hospitals connected with public safety or public health.
3. That the law be changed to allow a continuance of the emergency employment in departments, institutions or hospitals connected with the public safety or public health, where it has been found impossible to obtain persons from the eligible list.
4. That, in case an eligible list of at least two persons is not established from a promotional examination, a competitive promotional examination be held open to any class within the same or any other department, as the director may determine. Then in case an eligible list of at least two persons is not es-

tablished from either promotional examination, and the department head does not desire to appoint the one person on the list, the position shall be filled after open competitive examination.

5. That in certification of reserve firemen and policemen to the regular force, that, in cases where officers have been appointed to the reserve forces at the same time, preference shall be given to such officers in the order of their examination percentages.
6. That no person shall be appointed from the reserve to the regular force who has passed his fiftieth birthday.
7. That authority be given this Department to grant exemption from prosecution to any person who furnishes evidence which may aid it in an investigation.
8. That a limit of two years be provided during which an officer or employee in the service of the Commonwealth or of a city or town, who has been out of the service because of inability to work on account of sickness, may be reinstated.
9. That, in cases where it appears impossible to establish a list of applicants where the appointment is to be made, this Division be enabled to hold an examination in a district, which shall include two or more municipalities.
10. That definite protection be given to persons with a permanent civil service status entering the military or naval service in time of National Emergency, or entering the Selective Service.
11. That a list of all persons in the State, and in each city and town under civil service, entitled to receive payment be filed with the comptroller of the State, and with the treasurer, auditor, or other officer whose duty it is to pay the salary or compensation of said persons, and that the officer authorized to make payments shall not pay any salary or compensation to such persons until the legality of such employment or appointment is duly established.

## XXI. NUMBER OF HEARINGS

The following statistics may be of interest to the Commission.

### *Number of Hearings Held by Director During Year 1940*

February	190
March	216
April	186
May	143
June	129
July	139
August	201
September	158
October	228
November	405

TOTAL	1995
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### *Number of Persons Appearing at Information Desk From August 1, Thru November, 1940*

August	12,819
September	13,455
October	14,484
November	14,474

TOTAL	55,232
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### *Number of Persons Appearing at Director's Outer Office Seeking Information of Director From August 1, Thru November, 1940*

August	1,367
September	558
October	610
November	458

TOTAL	2,993
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## XXII. PROBLEMS FACING DIVISION

As viewed at this time there are several very definite problems facing this Division during the coming year. They are:

1. Classification of Cities and Towns.
2. Prosecution of job-selling cases.
3. Establish a method of certifying only persons actually available for employment at the time of certification.
4. Acquainting department heads, applicants, etc., with new rules.
5. Centralization of filing and record system, to enable us to render speedier service to appointing authorities.
6. Improving the Labor Service to meet the continually increasing demands for certifications due to the National Defense Program.

The difficulties presently encountered can be remedied by law or rules and the rules under consideration will do much to raise the standard of civil service and to give greater protection to civil service employees.

The progress which the Division has made would not have been possible without the wholehearted and intelligent cooperation of the members of the Civil Service Commission, and the employees of the Division and to them I wish to express my most sincere appreciation. I also wish to thank the members of the office of the Governor and Lieutenant-Governor, and the other State officers, and Department heads, as well as the representatives of the American Legion, Veterans of Foreign Wars, Disabled American Veterans' Association, the Police and Fire Chiefs' Associations, the Civic League, the Boston Municipal Employees' Association, the Federation of State, City and Town Employees, for their continued cooperation.

It is my hope that the operation of this Division has merited the confidence of the citizens of the Commonwealth, and that its conduct in the coming year will lay a firmer foundation for a true Merit System which will react to the benefit of both the Commonwealth and its various subdivisions, as well as to the persons who are already in the service and those who are seeking to enter it.

Very respectfully yours,

(Signed) ULYSSES J. LUPIN,  
*Director of Civil Service.*

## RECOMMENDATIONS.

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1. The present salary of the Director of Civil Service is \$6,500 a year. The Commissioners recommend that the limit be increased to not more than \$9,000. The position is a responsible one and the duties are increasing, and the Commissioners feel that they should have the authority to recommend to the Governor and Council for approval a salary commensurate with the duties of the position, and with salaries in other major divisions of the State.

2. The Commissioners recommend that section 4 of chapter 31 be amended by striking out the words "in receipt of an annual salary" referring to inspectors of plumbing. The Commissioners see no reason why inspectors who are paid fixed fees for each inspection should be exempted from civil service if those who receive an annual salary are included.

3. Section 15 of General Laws, chapter 31, was passed by the Legislature in 1939 by chapter 506. The Commissioners believe that this very comprehensive section should be amended in several particulars:

(a) In the cases of departments, institutions or hospitals connected with the public safety or public health, where the public service would suffer, if qualified applicants could not be found within the time limit who were willing to accept the work at the salary paid, an exception should be made to the requirement that a provisional employment cannot be extended over one hundred and eighty days. In view of the present emergency, it may be that the Director will be unable to establish a list for some of the positions, and if he does not have authority to extend a provisional appointment, it may work a hardship in these departments and institutions. This also applies to the paragraph dealing with emergency appointments for not more than twenty days in any twelve-month period.

(b) In the case of promotion, the law limits the promotional examination to the next lower grade in a department. In some cases the Director has been unable to establish a suitable list under this restriction, and the Commission therefore recommends that he be given authority to open a promotional examination to the next lower grades in succession in the same or other departments until a sufficient number of applicants to hold a competitive examination is obtained.

(c) In the last paragraph the words "one of the three oldest employees therein" has been changed to "the oldest employee, the second oldest employee, or the third oldest employee." This has been done to clarify the meaning of the section where there are only one or two employees in the department.

4. Section 19A of General Laws, chapter 31, is amended by striking out the section and providing in a new section that, in case the order on the reserve list cannot be ascertained, as in cases where several men are appointed on the same date, the Director may certify in the order of the percentage received by said persons at the time of their appointment to the reserve force. The amendment further provides that no person shall be appointed to the regular force who has passed his fiftieth birthday. This seems to be a proper maximum age limit for appointment of a man who is to perform regular fire duty.

5. The same reasons apply for the recommendations of amendment to section 20A of General Laws, chapter 31, as for section 19A of General Laws, chapter 31. (See paragraph 4.)

6. An amendment is being suggested for section 27 of General Laws, chapter 31, to give to men called to duty during the period covered by any Federal Selective Service Act the same preference in reinstatement which was accorded at the time of the World War. It extends the right now in effect in time of war so as to cover the present emergency period, which the Attorney General has advised the Commissioners they could not do by rule, as they had planned.

7. In relation to the amendment of chapter 31 of the General Laws by adding a new section, section 31B, the Commissioners feel that the procedure outlined in this amendment would save the Division much needless payroll checking to ascertain irregu-

lar employments and would reduce the clerical load. It seems to the Commissioners that the Comptroller of the State and the Auditors of the different cities and towns are the officials who would be very glad to co-operate with the Commission if they had the information in relation to those who were properly certified and employed under civil service.

8. The Commissioners deem it essential to have the authority to grant exemption from prosecution to any person who furnishes evidence which may aid it in an investigation of civil service violations. They have therefore submitted a bill providing for such exemption.

9. This amendment gives an employee who is discharged or suspended the choice of two appeal procedures after the hearing to which he is now entitled before his department head: (1) an appeal for a hearing before and a finding by the Civil Service Commission; or (2) an appeal to the district court of the judicial district where such discharged person resides. This latter provision is the only right the employee has now under the law, and is not so readily available to the ordinary wage earner because of lack of knowledge or lack of money to hire a lawyer.

10. There seems to be no reason why state employees should be considered as having become separated from the classified civil service by reason of inability to work on account of sickness. The present law (G. L. 31, § 46D) applies only to city and town employees. The Commissioners have therefore recommended that this section be amended so as to include state employees, and to limit the time to two years.

11. The Commissioners believe that this section 46G should be amended in order that there may be no question as to the interpretation of the section. It also seems to the Commissioners that the Director should have authority to establish a roster of all employees, arranged in accordance with the date of seniority in the class and grade, which authority has recently been questioned in the courts. This roster is essential for the heads of departments and for the Director in determining the order of seniority in the case of lay-offs.

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## OPINIONS OF THE ATTORNEY GENERAL

### TRANSFER FROM FEDERAL GOVERNMENT TO STATE POSITION

Can a person who was employed by the Federal Government and paid directly by it as State Selecting Agent for the Civilian Conservation Corps for Massachusetts and who was transferred directly to the State pay roll upon the abolishing of the Federal position be entered up under Civil Service under Sec. 15(b) of Chap. 31 of the General Laws?

Yes. Opinion of Attorney General dated March 26, 1940.

### EMPLOYMENT OF WELFARE RECIPIENTS IN CIVIL SERVICE POSITIONS

Can persons receiving aid from the city be allowed to work out their aid in positions in the classified official service?

No. (On labor service positions—yes) Opinion of Attorney General dated March 11, 1940.

### EMPLOYEES OF EMERGENCY FINANCE BOARD

Are the positions of Investigator and Principal Clerk under this Board under Civil Service?

Yes. Opinion of Attorney General dated May 13, 1940.

### CLASSIFICATION OF NORWOOD SERVICE

Did the vote of the Town of Norwood of March 28, 1940 bring under Civil Service all positions in the town not formerly covered, with the exception of those exempted by Section 5 of Chapter 31, but including those of the Labor Service?

"The chief of the police department is specifically exempted from the application of G. L. (Ter. Ed.) c. 31, by St. 1914, c. 197, s. 9 (i). The general manager by implication from the provisions of said chapter 197, ss. 8 and 11, relative to the mode of his appointment and removal, may not be made subject to civil service by the vote in question. The superintendents or chiefs of departments, by implication from the provisions contained in the last sentence of said St. 1914, c. 197, s. 9 (b), relative to their mode of removal, may not be made subject to civil service by the vote in question. Officers elected by the people are exempt from the provisions of civil service law by virtue of G. L. (Ter. Ed.) c. 31, s. 5. With these exceptions the votes would appear to be sufficient to place laborers and all other employees of the town under civil service."

Opinion of Attorney General dated May 20, 1940.

### SPECIAL INVESTIGATING ASSISTANT IN THE WORCESTER PUBLIC WELFARE DEPARTMENT

Is the position of Special Investigating Assistant of the Worcester Public Welfare Department a Civil Service position?

No, if the activities of the Special Investigating Assistant are confined to those of an attorney. Opinion of Attorney General dated August 20, 1940.

### STATUS OF PERSONS EMPLOYED IN THE LABOR SERVICE OF CITIES AND TOWNS WHICH ACCEPT THE CIVIL SERVICE LAW

1. Are persons employed in the labor service of the city or town which accepts Civil Service automatically included under Civil Service upon acceptance of the Act?

Yes, subject to probationary period.

2. Shall persons in the labor service be included by recommendation of the Director and 4 affirmative votes of the Commission under G. L. 31, Sec. 15(b)?

No, this Section does not apply to labor service.

3. What date shall be assumed as the date fixing the employment of persons in the labor service—the date of the vote of the City Council or Aldermen—the date the order is signed by the Mayor—or the date when any appeal or referendum period might elapse?

The date when the acceptance becomes effective.

4. What date shall be taken at the beginning for the purpose of determining the six months' probationary period?

The date when the acceptance becomes effective.

Opinion of Attorney General dated August 13, 1940.

### EMPLOYEES OF EMERGENCY PUBLIC WORKS COMMISSION

Are the employees of the Emergency Public Works Commission subject to the requirements of the Civil Service Law and Rules?

No. Opinion of Attorney General dated September 10, 1940.

### DURATION OF PROVISIONAL EMPLOYMENT

Are the 180 days referred to in Section 15 of Chapter 31 calendar days or actual working days?

Calendar days. Opinion of Attorney General dated August 21, 1940.

### EMPLOYMENT OF EXPERTS IN THE DEPARTMENT OF LABOR AND INDUSTRIES

Are the experts employed to assist in conducting painters' riggers examinations in the State Department of Labor and Industries under Civil Service?

No. Opinion of Attorney General dated April 23, 1940.



## MALDEN CEMETERY SECRETARY

Is the position of Secretary to the Board of Trustees in the Malden Cemetery Department under Civil Service?

Yes. Opinion of Attorney General dated October 3, 1940.

## PLAYGROUND WORKERS

Is the position of Playground Supervisor for summer service "temporary" within the meaning of Section 15(a) of Chapter 31 which provides that no person in the employ of a city or town shall be certified for *temporary* employment?

Yes. Opinion of Attorney General dated November 14, 1940.

## EMPLOYMENT OF PRIVATE CONSULTANTS

Is the employment of private consultants by the Metropolitan District Commission Sewerage Division under Statutes 1939, Chapter 512, contrary to Civil Service?

No. Opinion of Attorney General dated November 27, 1940.

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SUPREME COURT DECISIONS

COSTA V. JUSTICES OF DISTRICT

COURT OF EASTERN ESSEX

January 31, 1940

(25 N. E. 2d 172)

Under statute concerning duty of district court judge to review action of an officer or board by which a police officer in classified service has been removed, suspended, transferred or lowered in rank or compensation, question before judge is not whether he would have taken same action as that taken by officer or board, if matter had come before him in first instance, but question is whether action was taken upon adequate reasons sufficiently supported by credible evidence, when weighed by an unprejudiced mind guided by common sense and correct rules of law.

Under statute concerning duty of district court judge to review action of an officer or board by which a police officer in classified service has been removed, suspended, transferred, or lowered in rank or compensation, the issue before judge is not to be tried anew as if it were an appeal.

When a district court judge reviews action of an officer or board by which a police officer in classified service has been removed, suspended, transferred or lowered in rank or compensation, in deciding whether action of officer or board was sufficiently supported by credible evidence, judge must determine for himself, by use of his judicial faculties, who were trustworthy and credible witnesses, in order that he may decide what evidence could have been believed when weighed by an unprejudiced mind guided by common sense and correct rules of law.

Where district court judge, in reviewing action of municipal council of Gloucester which sustained a charge by city marshal that petitioner, a police officer in classified service, had been absent without leave, made his own direct findings of fact relating to petitioner's guilt, such findings could be considered as indicating that in judge's opinion findings at least as strongly adverse to petitioner could properly have been made by municipal council.

In proceedings by district court judge reviewing action of municipal council of Gloucester which sustained a charge by city marshal that petitioner, a police officer in classified service, had been absent without leave, evidence and findings that petitioner, when sick, made no effort to communicate with his superior officer justified judge's conclusion that action of marshal in temporarily suspending petitioner was justified and warranted judge's affirmance of decision of municipal council in so far as it related to suspension.

The action of the municipal council of Gloucester in ordering a police officer in

classified service to do punishment duty of extra hours without additional compensation was not a "lowering in compensation" within the statute, so as to authorize district court judge to review penalty imposed, especially where acceptance of punishment was not made a condition of officer's restoration to duty.

GIBNEY V. MAYOR OF FALL RIVER ET AL

September 11, 1940

(29 N. E. 2d 133)

The civil service rule that no person appointed in the official or labor division shall be regarded as holding office or employment in the classified public service until after a probationary period of six months is valid, and during probation period an employee, or appointee, may be discharged without notice or opportunity for hearing.

Where nurse employed by city board of health was removed by board prior to expiration of her six months' probationary period, action of board was valid, notwithstanding that mayor brought force and pressure on board to secure removal of nurse.

Where municipal board of health had right to remove a nurse during her probationary period, without notice or opportunity for hearing, reason assigned by board in vote removing nurse was immaterial, since board was not obliged to give any reason for its action.

YOUNIE V. THE DIRECTOR DIVISION OF UNEMPLOYMENT COMPENSATION

September 12, 1940

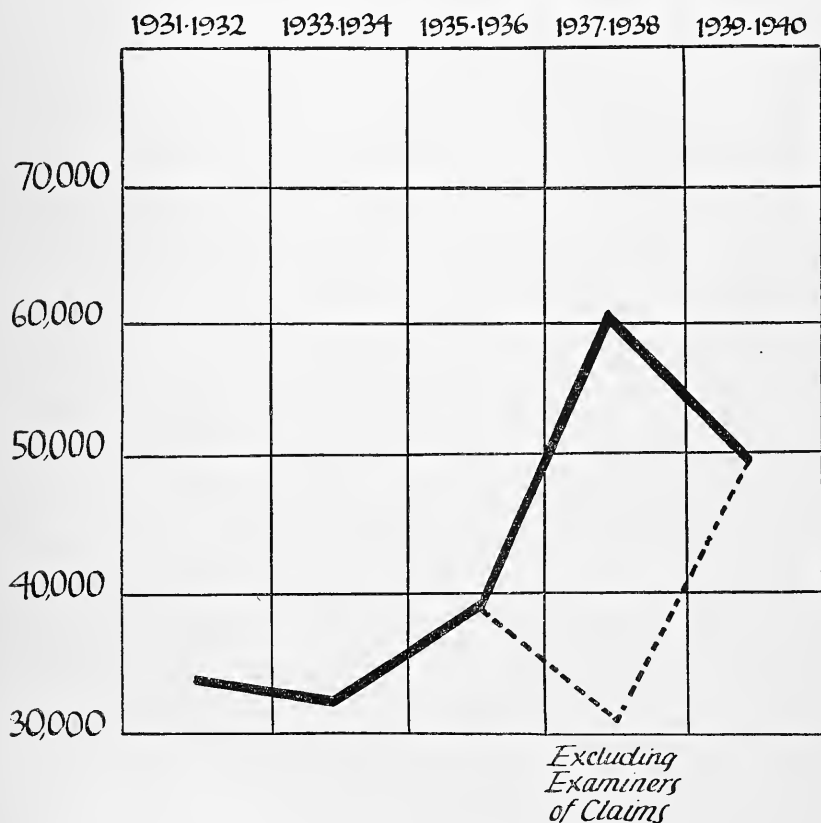
(29 N. E. 2d 137)

Disabled veterans are not exempt from the provisions of the civil service rules, and are subject to the rule providing for a probationary period of six months.

The dismissal of a disabled veteran during his probationary period was in accordance with the civil service law and rules, even though others were continued in employment who were appointed at the same time and from the same list and who were not disabled veterans.

# NUMBER OF APPLICANTS NOTIFIED FOR EXAMINATION IN A FISCAL YEAR

To eliminate the peaks which come in every odd year, biennial averages are shown...



## EXAMINATIONS AND APPOINTMENTS: OFFICIAL SERVICE

Class	NAME OF POSITION	NUMBER OF EXAMINATIONS				Number of Applicants notified	NUMBER EXAMINED	
		ENTRANCE		PROMOTION			Males	Females
		Competitive	Non-Competitive	Competitive	Non-Competitive			
1	Superintendent:							
	State . . . . .	3	1	2	1	576	424	4
	Boston . . . . .	1	—	2	—	35	28	—
	Other Cities . . . . .	10	9	7	4	186	148	—
2	Secretary:							
	State . . . . .	1	—	—	1	57	43	—
	Other Cities . . . . .	1	—	—	—	79	39	6
3	Clerk:							
	State . . . . .	4	18	23	7	577	49	424
	Boston . . . . .	3	—	—	1	98	18	36
	Other Cities . . . . .	8	—	—	4	339*	59	16
4	Bookkeeper, Accountant:							
	State . . . . .	2	1	6	1	1,684	21	34
	Boston . . . . .	—	—	—	—	—	—	—
	Other Cities . . . . .	4	—	—	—	136	21	11
5	Storekeeper:							
	Boston . . . . .	1	—	—	—	141	—	—
	Other Cities . . . . .	1	—	—	—	54	42	—
6	Sealer, Deputy Sealer:							
	Boston . . . . .	—	—	—	—	—	—	—
	Other Cities . . . . .	6	1	—	1	131	64	—
7	Visitor, Social Worker:							
	State . . . . .	6	—	2	—	3,264	1,325	1,055
	Boston . . . . .	2	—	1	—	528	155	278
	Other Cities . . . . .	6	—	3	—	2,320**	389	379
8	Agent:							
	State . . . . .	1	—	—	1	112	—	1
	Boston . . . . .	—	—	—	—	—	—	—
	Other Cities . . . . .	2	2	—	—	26	22	—
9	Stenographer:							
	State . . . . .	1	1	15	1	5,727	284	4,639
	Boston . . . . .	1	—	1	—	1,318	61	1,053
	Other Cities . . . . .	1	1	—	—	1,461	64	1,224
9	Telephone Operator, Radio Operator:							
	State . . . . .	1	—	—	—	340	32	250
	Boston . . . . .	1	—	—	—	95	4	75
	Other Cities . . . . .	1	—	—	—	79	14	42
10	Proofreader:	—	—	—	—	—	—	—
11	Inspector:							
	State . . . . .	7	2	1	1	4,488	2,915	98
	Boston . . . . .	3	—	1	—	945	625	—
	Other Cities . . . . .	14	1	2	2	328	262	—
12	Instructor:							
	State . . . . .	4	—	1	—	182	149	6
	Boston . . . . .	1	—	—	—	145	59	50
	Other Cities . . . . .	3	—	—	—	953	439	372
13	Inspectors in Dept. of Public Safety:							
	State . . . . .	1	—	—	—	190	145	—
14	Policeman:							
	Boston . . . . .	—	—	2	1	972	847	—
15	Policeman:							
	Other Cities . . . . .	5	2	18	—	241	218	—
16	Policeman; Metropolitan District:							
	State . . . . .	—	—	—	—	—	—	—
17	Correction Officer, Watchman, Matron:							
	State . . . . .	1	1	3	1	1,380	50	—
	Boston . . . . .	1	—	1	—	293	—	260
	Other Cities . . . . .	6	3	1	—	107	34	52

\* Includes 200 clerks examined for the State Department of Public Welfare, under a ruling of the Social Security Board that all employees of town welfare departments having to do with funds under Federal Grants shall qualify under a Merit System.

\*\* Includes 1336 visitors, supervisors of visitors, and public welfare agents, examined for the State Department of Public Welfare, under a ruling of the Social Security Board that all employees of town welfare departments having to do with funds under Federal Grants shall qualify under a Merit System.

## EXAMINATIONS AND APPOINTMENTS: OFFICIAL SERVICE

NUMBER PASSED				NUMBER APPOINTED from Eligible Lists								Promotion	TOTAL
Disabled Veterans	Veterans	Civilians	Females	PERMANENT				TEMPORARY					
				Disabled Veterans	Veterans	Civilians	Females	Disabled Veterans	Veterans	Civilians	Females		
2	32	60	—	2	1	2	—	—	—	—	—	4	9
—	1	5	—	—	—	1	—	—	—	1	—	1	3
2	9	56	—	3	12	11	1	—	1	—	—	7	35
—	—	—	—	—	—	—	—	—	—	—	—	—	—
1	1	2	—	1	—	1	—	—	—	—	—	—	2
—	3	11	5	—	—	—	—	—	—	—	—	—	—
—	—	24	333	2	11	35	130	2	11	61	442	32	726
—	—	14	29	1	3	27	104	2	4	39	4	1	185
1	1	19	6	—	5	28	79	—	3	22	201	3	341
—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	14	15	—	—	—	1	—	—	2	—	9	12
—	—	—	—	—	—	4	1	—	—	4	—	1	10
—	—	1	2	—	2	2	4	—	—	—	1	—	9
—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	3	1	—	—	2	1	—	—	—	—	—	—	3
—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	1	12	—	—	1	7	—	—	—	—	—	1	1
—	—	—	—	—	—	—	—	—	—	—	—	—	8
5	21	333	500 <sup>2</sup>	—	—	1	14	—	—	1	3	1	20
—	1	90	141	—	—	23	47	—	—	—	—	1	71
1	7	139	245 <sup>4</sup>	1	7	32	51	—	—	4	13	1	109
—	—	—	1	—	—	1	1	—	—	—	—	—	2
—	—	—	—	—	—	35	34	—	—	—	—	—	69
—	1	5	—	1	1	3	—	—	—	—	—	—	5
—	—	94	2,416 <sup>5</sup>	—	—	11	190	—	—	6	251	25	483
—	—	23	530	—	10	—	26	—	—	—	7	—	43
—	—	17	597	—	—	4	77	—	—	2	52	—	135
—	—	4	126 <sup>1</sup>	—	—	—	2	—	—	—	6	—	8
—	—	1	44	—	—	—	4	—	—	—	4	—	8
—	1	2	21	—	2	—	6	—	—	—	5	—	13
—	—	—	—	—	—	—	—	—	—	—	—	—	—
10	121	593	11	16	8	3	2	1	3	—	—	3	36
8	32	354	—	2	6	2	—	—	—	—	—	—	10
2	10	64	—	5	10	15	—	—	3	31	—	3	67
—	—	—	—	—	—	—	—	—	—	—	—	—	—
1	6	40	5	1	5	3	4	—	1	2	—	1	17
—	1	39	45	—	—	1	—	—	—	—	1	—	2
—	4	313	298	—	—	10	22	—	—	105	130	—	267
—	—	—	—	—	—	—	—	—	—	—	—	—	—
2	14	27	—	—	—	—	—	—	—	—	—	—	—
—	—	425	—	—	—	87	—	—	—	—	—	—	87
—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	5	136	—	—	2	85	—	—	—	31	—	149	267
—	—	—	—	—	—	5	—	—	—	20	—	2	27
—	—	45	—	—	3	38	—	—	2	49	—	2	94
—	—	—	143 <sup>3</sup>	—	1	1	3	—	—	10	14 <sup>4</sup>	—	29
—	1	20	10 <sup>1</sup>	2	4	8	2	—	1	11	—	2	30

<sup>1</sup> Includes one female veteran.<sup>2</sup> Includes two female veterans.<sup>3</sup> Includes three female veterans.<sup>4</sup> Includes four female veterans.<sup>5</sup> Includes five female veterans.

## OFFICIAL SERVICE—Continued

Class	NAME OF POSITION	NUMBER OF EXAMINATIONS				Number of Applicants notified	NUMBER EXAMINED	
		ENTRANCE		PROMOTION			Males	Females
		Competitive	Non-Competitive	Competitive	Non-Competitive			
18	Ambulance Driver, Police Chauffeur: Boston . . . . . Other Cities . . . . .	—	—	1	—	4	4	—
19	Attendance Officer: Other Cities . . . . .	2	—	—	—	63	31	20
20	Fireman: Boston . . . . .	1	—	—	—	1,056	—	—
21	Fireman: Other Cities . . . . .	3	1	24	2	3,234	360	—
22	Foreman: State . . . . . Boston . . . . . Other Cities . . . . .	—	—	2	—	9	3	2
		—	—	2	—	22	18	—
		8	—	4	1	95	50	—
23	Assessor, Deputy Assessor: Boston . . . . .	—	—	—	—	—	—	—
24	Janitor: State . . . . . Boston . . . . . Other Cities . . . . .	—	—	1	—	24	21	—
		—	—	—	—	—	—	—
		4	—	9	—	197	155	—
25	Drawtender: State . . . . . Boston . . . . .	—	—	2	—	—	—	—
		1	—	—	—	626	65	—
26	Stationary Engineer, Fireman, Oiler, etc.: State . . . . . Boston . . . . . Other Cities . . . . .	1	—	7	4	106	99	—
		1	—	—	1	22	22	—
		10	—	1	—	176	151	—
27	Civil Engineer: State . . . . . Boston . . . . . Other Cities . . . . .	3	—	4	4	285	179	1
		—	—	2	—	7	6	—
		5	1	1	1	46	33	—
28	Architect: Other Cities . . . . .	—	—	—	—	—	—	—
29	Electrician: State . . . . . Boston . . . . . Other Cities . . . . .	—	—	—	—	—	—	—
		1	—	3	—	45	22	—
		2	—	1	—	31	20	—
30	Mate and Pilot: Boston . . . . .	1	—	—	—	10	7	—
31	Dietitian, Head Cook: State . . . . . Boston . . . . . Other Cities . . . . .	1	—	1	—	58	—	45
		1	—	—	—	12	—	—
		1	—	—	—	11	—	10
32	Physician, Dentist, Dental Hygienist: State . . . . . Boston . . . . . Other Cities . . . . .	4	—	—	—	157	99	20
		2	—	—	1	75	51	13
		15	—	—	—	86	31	24
33	Conservation Officer: State . . . . .	—	—	—	—	—	—	—
34	Chemist, Pharmacist: State . . . . . Boston . . . . . Other Cities . . . . .	1	—	1	—	182	114	10
		1	—	—	—	31	22	—
		6	—	—	—	50	38	1
35	Nurse, Occupational Therapist: State . . . . . Boston . . . . . Other Cities . . . . .	2	1	2	—	81	33	29
		2	—	1	—	46	—	31
		7	3	—	—	113	—	66

## OFFICIAL SERVICE--Continued

NUMBER PASSED				NUMBER APPOINTED from Eligible Lists								Promotion	TOTAL
Disabled Veterans	Veterans	Civilians	Females	PERMANENT				TEMPORARY					
				Disabled Veterans	Veterans	Civilians	Females	Disabled Veterans	Veterans	Civilians	Females		
—	—	3	—	3	2	—	—	—	1	—	—	1	7
—	—	—	—	—	—	2	—	—	—	—	—	1	3
1	3	7	16	—	—	—	1	—	—	—	—	—	1
—	—	—	—	—	—	51	—	—	—	—	—	36	87
—	—	203	—	—	—	195	—	—	—	15	—	106	316
—	—	3	2	—	—	1	—	—	—	2	—	5	8
—	—	6	—	—	3	—	—	—	—	—	—	8	11
—	2	14	—	1	6	34	—	—	—	2	—	2	45
—	—	—	—	—	—	—	—	—	—	—	—	4	4
—	—	18	—	1	2	—	—	2	1	—	—	1	7
—	—	—	—	2	5	—	1	—	—	—	—	—	8
4	3	82	—	6	49	55	12	3	44	99	14	17	299
—	—	—	—	1	4	1	—	—	2	3	—	—	11
—	—	38	—	—	—	—	—	—	—	—	—	17	17
—	10	81	—	1	13	7	—	—	12	17	—	11	61
—	1	20	—	1	3	1	—	—	3	16	—	—	24
2	11	72	—	2	10	23	—	—	3	29	—	1	68
—	—	41	—	—	1	18	—	—	1	27	—	9	56
—	—	4	—	—	—	2	—	—	—	—	—	2	4
—	—	11	—	—	1	24	—	—	—	11	—	2	38
—	—	—	—	—	—	1	—	—	—	2	—	—	3
—	—	—	—	—	—	1	—	—	—	—	—	—	1
—	—	17	—	1	2	2	—	—	—	—	—	3	8
—	1	10	—	—	2	3	—	—	—	1	—	—	6
—	3	2	—	—	—	1	—	—	—	—	—	—	1
—	—	—	12	—	2	10	9	—	—	1	1	3	26
—	—	—	—	—	—	—	5	—	—	—	16	—	21
—	—	—	6	—	—	—	1	—	—	—	—	—	1
2	12	18	14	—	—	6	8	—	—	2	2	—	18
—	8	36	10	—	—	1	4	—	—	—	—	2	7
1	8	29	—	1	7	4	5	—	—	—	1	—	18
—	—	—	—	—	—	2	—	—	—	—	—	—	2
—	1	19	2	—	—	1	2	—	—	2	—	—	5
—	—	11	—	—	—	2	—	—	—	2	—	—	4
—	—	5	—	—	—	4	—	—	—	—	—	—	4
—	—	10	22	—	—	1	19	—	—	—	2	3	25
—	—	—	6	—	—	—	2	—	—	—	—	—	2
—	—	—	24	—	—	—	8	—	—	—	8	—	16

## SUMMARY OF OFFICIAL SERVICE

Class	NAME OF POSITION	NUMBER OF EXAMINATIONS				Number of Applicants notified	NUMBER EXAMINED	
		ENTRANCE		PROMOTION			Males	Females
		Competitive	Non-Competitive	Competitive	Non-Competitive			
	State . . . . .	44	25	71	22	19,379	5,985	6,618
	Boston . . . . .	25	—	19	4	6,526	2,014	1,796
	Other Cities . . . . .	131	24	71	15	10,542	2,684	2,223
	Totals . . . . .	200	49†	161	41†	36,447	10,683	10,637
	Grand Totals . . . . .			451		36,447	21,320	

† 16 non-competitive examinations were qualifying tests, provided for by G. L. 31, s. 49A; 19 were "courtesy" examinations held under the provisions of Civil Service Rule 30, section 1. The remainder were held under the provisions of section 15 of Chapter 31, including examinations authorized by the Acting Director and by the present Director after his appointment.

## SUMMARY OF OFFICIAL SERVICE—TEN-YEAR COMPARATIVE TABLE

1940	. . . . .	200	49	161	41	36,447	10,683	10,637
1939	. . . . .	217	36	117	56	62,975	30,224	20,973
1938	. . . . .	286	37	68	1	69,518	36,558	17,440
1937	. . . . .	308	103	112	24	53,966	30,735	12,487
1936	. . . . .	112	184	53	74	33,837	17,386	9,801
1935	. . . . .	154	65	39	50	44,231	23,416	13,805
1934	. . . . .	211	155	Separate figures not kept	Separate figures not kept	24,414	17,420	2,338
1933	. . . . .	211	116			40,481	19,317	14,198
1932	. . . . .	222	102			26,831	20,828	1,484
1931	. . . . .	282	181			42,527	26,110	9,769



SUMMARY OF OFFICIAL SERVICE

NUMBER PASSED				NUMBER APPOINTED from Eligible Lists								Promotion	TOTAL
				PERMANENT				TEMPORARY					
Disabled Veterans	Veterans	Civilians	Females	Disabled Veterans	Veterans	Civilians	Females	Disabled Veterans	Veterans	Civilians	Females		
29	218	1,426	3,459	25	50	148	382	5	33	195	707	111	1,656
8	47	1,088	948	10	35	241	231	2	8	72	46	78	723
14	74	1,229	1,230	22	123	551	269	3	55	365	425	294	2,107
51	339	3,743	5,637	57	208	940	882	10	96	632	1,178	483	4,486
9,770††				2,037				1,916				483	4,486

†† Figures include examinations of which marking was completed on or before November 30, 1940.

SUMMARY OF OFFICIAL SERVICE—TEN-YEAR COMPARATIVE TABLE

51	339	3,743	5,637	57	208	940	882	10	96	632	1,178	483	4,486
107	829	8,467	7,352	116	272	888	713	13	129	642	1,309	413	4,495
216	1,409	11,730	5,861	102	264	1,057	1,064	17	134	853	1,369	421	5,281
210	1,223	10,494	4,872	99	323	1,153	931	16	120	537	971	506	4,656
86	506	5,459	2,419	43	167	643	448	13	83	337	483	343	2,560
97	895	6,144	4,124	47	246	641	469	23	131	343	640	306	2,846
51	772	5,254	772	40	289	940	523	35	148	430	878		3,283
39	558	5,548	6,453	52	223	731	286	31	161	366	493		2,343
6,190			738	72	399 <sup>9</sup>	1,156	966	Separate fig- ures not kept				Separate fig- ures not kept	2,593
6,213			3,012	32	504 <sup>10</sup>	1,701	1,001						3,238

<sup>9</sup> Includes 6 female veterans.  
<sup>10</sup> Includes 10 female veterans.

## PHYSICAL EXAMINATIONS

## OFFICIAL SERVICE

		Dec.	Jan.	Feb.
Number Examined . . . . .		155	797	271
Number Passed . . . . .		116	425	234
Number Rejected . . . . .		39	372	37
Did not appear . . . . .		18	134	42

REJECTIONS IN PHYSICAL EXAMINATIONS		Dec.	Jan.	Feb.
CAUSE				
<i>Eyes:</i>				
Pathological condition . . . . .		—	—	—
Visual Acuity . . . . .		6	36	11
Color vision . . . . .		—	2	1
<i>Ears, Nose, Mouth, and Throat:</i>				
Disease of ear . . . . .		—	—	—
Defective hearing . . . . .		4	3	1
Nose: Deformity, obstruction, etc. . . . .		—	—	—
Mouth: Hare lip, cleft palate, or other anatomical defects . . . . .		—	—	—
Teeth: Defective . . . . .		23	44	13
Throat: Deformity, obstruction, goiter, tumor, speech defects, etc. . . . .		—	—	—
<i>Cardio Vascular System:</i>				
Heart: Murmurs, arrhythmia, evidence cardiac disease . . . . .		1	1	1
Pulse rate, blood pressure, condition of blood vessels . . . . .		2	6	—
Arteriosclerosis, aneurysm, etc. . . . .		—	—	—
<i>Respiratory System: Evidence of tuberculosis, bronchitis, asthma, emphysema, empyema, pleurisy, etc. . . . .</i>				
		—	—	—
<i>Abdomen and Gastro-Intestinal System, including hernia . . . . .</i>				
		—	2	1
<i>General Surgical Condition:</i>				
Varicocele . . . . .		—	1	—
Hydrocele . . . . .		—	—	—
Varicose veins . . . . .		—	3	1
<i>Nervous System . . . . .</i>				
		1	—	—
<i>Spine, joints, muscles, including atrophies . . . . .</i>				
		—	3	—
<i>Extremities:</i>				
Hands: Loss of fingers or thumb or any considerable part thereof, contractions, deformities . . . . .		—	—	—
Feet: Loss of toes or any considerable part thereof, flat feet, hammer or overlapping toes . . . . .		1	1	—
<i>Skin: Acute or chronic condition, evidence of syphilis or tuberculosis . . . . .</i>				
		—	—	—
<i>General Condition: Evidence of anaemias, endocrine disturbances, glandular enlargements or disfunctions . . . . .</i>				
		—	3	—
<i>Genito-Urinary System: Kidneys, diabetes, etc. . . . .</i>				
		—	—	—
<i>Under Height . . . . .</i>				
		—	22	4
<i>Under Weight . . . . .</i>				
		—	14	—
<i>Obesity . . . . .</i>				
		1	—	—
<i>Strength test . . . . .</i>				
		—	207	—
<i>Did not complete test . . . . .</i>				
		—	24	2
<i>Referred to other Doctor . . . . .</i>				
		—	—	2

PHYSICAL EXAMINATIONS  
OFFICIAL SERVICE

Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Total
195	736	798	748	748	325	253	283	197	5,506
135	530	685	632	674	275	226	249	167	4,348
60	206	113	116	74	50	27	34	30	1,158
32	179	152	138	129	55	58	55	28	1,020

Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Total
—	—	—	—	—	—	—	—	—	—
9	51	44	22	6	8	1	6	3	205
—	—	—	—	—	—	—	—	—	3
—	2	—	—	—	—	—	—	—	2
—	6	2	4	—	3	—	—	—	23
—	—	—	—	—	—	—	—	—	—
15	66	41	60	45	23	18	23	15	366
—	—	—	—	—	—	—	—	—	—
3	5	5	3	—	—	—	—	1	20
5	14	9	6	7	1	1	2	1	54
—	—	—	—	—	—	—	—	—	—
—	—	1	1	—	1	1	—	1	5
1	4	3	3	6	4	—	—	4	28
—	—	—	—	—	—	—	—	—	—
2	6	4	4	2	5	3	1	2	33
—	—	—	1	—	1	2	1	—	6
—	1	—	6	3	—	—	—	—	13
—	—	—	—	—	—	—	—	—	—
—	5	2	—	1	—	1	—	1	12
—	—	—	—	—	—	—	—	—	—
1	2	—	2	—	—	—	—	—	8
—	—	—	1	2	—	—	—	—	3
3	23	1	—	—	—	—	—	—	53
—	—	—	—	—	—	—	—	—	14
—	—	—	—	—	—	—	—	—	1
18	12	—	1	—	4	—	—	2	244
3	1	—	—	—	—	—	1	—	31
—	8	1	2	—	—	—	—	—	13

## LABOR SERVICE

## Physical examinations:

Number examined . . . . .	1,399
Number passed . . . . .	1,056
Number failed . . . . .	243
Number re-examined . . . . .	100

## Practical tests:

<i>Test</i>	<i>Examined</i>	<i>Failed</i>
Gardener and gardening-laborer . . . . .	86	46
Gas roller operator . . . . .	3	1
Lifeguard . . . . .	200	47
Tractor operator . . . . .	11	1
Tree climber . . . . .	15	4
Truck driver . . . . .	15	8

## LABOR SERVICE

	Number Registered	NUMBER APPOINTED				Total
		Veterans		Civilians		
		Male	Female	Male	Female	
Commonwealth	14,042	666	4	49	21	740
Boston	14,256	230	3	188	192	613
Arlington	249	12	0	14	0	26
Brockton	419	14	0	26	15	55
Brookline	593	20	0	33	4	57
Cambridge	1,974	30	0	17	59	106
Chelsea	291	4	0	6	10	20
Chicopee	486	27	0	4	1	32
Dedham	121	13	0	7	1	21
Everett	489	29	0	3	19	51
Fall River	955	70	0	16	22	108
Fitchburg	254	0	0	3	5	8
Gardner	204	3	0	44	1	48
Holyoke	521	0	0	4	5	9
Lawrence*	1,725	2	0	10	0	12
Lowell	1,047	58	0	30	0	88
Lynn	1,001	70	0	8	23	101
Malden	483	5	0	6	4	15
Marlboro	142	9	0	0	0	9
Medford	598	21	0	20	14	55
New Bedford	1,077	8	0	17	10	35
Newton	729	99	0	14	13	126
North Adams‡	0	0	0	0	1	1
Norwood†	47	0	0	0	0	0
Pittsfield‡	0	0	0	0	0	0
Quincy	836	50	0	40	37	127
Revere	188	12	0	30	0	42
Somerville	637	15	0	7	9	31
Springfield	1,751	429	0	31	94	554
Swampscott (Highway Dept.)	61	0	0	0	0	0
Waltham	380	42	0	8	4	54
Watertown	179	0	0	3	1	4
Worcester	3,266	125	0	135	82	342
Totals	49,001	2,063	7	773	647	3,490

\* Labor service classified on April 15, 1940.

# Labor service classified on November 8, 1940.

† Labor service classified on April 28, 1940.

‡ Labor service classified on November 26, 1940.

## LABOR SERVICE—TEN-YEAR COMPARATIVE TABLE

1940 . . . . .	49,001	2,063	7	773	647	3,490
1939 . . . . .	47,970	2,523	6	1,116	626	4,271*
1938 . . . . .	45,175	1,749	3	870	625	3,247*
1937 . . . . .	42,241	1,652	3	1,259	970	3,884*
1936 . . . . .	43,797	1,656	—	1,131	666	3,453*
1935 . . . . .	45,973	1,994	—	1,058	473	3,525*
1934 . . . . .	45,527	3,474	—	1,770	495	5,739*
1933 . . . . .	46,456	1,384	1	846	484	2,715*
1932 . . . . .	47,733	1,531	—	1,283	650	3,464*
1931 . . . . .	44,670	4,595	1	4,842	960	10,398*

\* Includes persons appointed under general authority.

PROVISIONAL APPOINTMENTS AUTHORIZED  
(in absence of eligible list)

[illegible]

1939 PROVISIONAL APPOINTMENTS AUTHORIZED  
(From May 24 through November 30)

[illegible]

## EMERGENCY APPOINTMENTS

[illegible]

## 1939 EMERGENCY APPOINTMENTS

(From May 24 through November 30)

<i>Official Service</i>									
State	.	.	.	.	.	.	.	.	901
Boston	.	.	.	.	.	.	.	.	249
Other Cities	.	.	.	.	.	.	.	.	363
Total	.	.	.	.	.	.	.	.	1,513
<i>Labor Service</i>									
State	.	.	.	.	.	.	.	.	74
Boston	.	.	.	.	.	.	.	.	37
Other Cities	.	.	.	.	.	.	.	.	593
Total	.	.	.	.	.	.	.	.	704

## SEPARATIONS FROM SERVICE

Separations from the service have been reported by department heads, as follows:

	STATE	BOSTON	OTHER CITIES	TOTAL
Discharged during probationary period . . . . .	49	31	139	219
Resignation . . . . .	590	229	292	1,111
Death . . . . .	42	128	281	401
Retirement . . . . .	94	223	384	701
Position abolished . . . . .	1	—	52	53
Sickness . . . . .	151	270	811	1,232
Leave of Absence . . . . .	107	130	258	495
Lack of Work . . . . .	90	—	378	468
Lack of Funds . . . . .	—	—	395	395
Cause . . . . .	22	88	152	262
Totals . . . . .	1,146	1,099	3,092	5,337

## COMPARISON WITH PREVIOUS YEARS

1940 . . . . .	1,146	1,099	3,092	5,337
1939 . . . . .	635	921	3,395	4,951
1938 . . . . .	389	954	3,821	5,164

## REINSTATEMENTS

Reinstatements have been reported as follows:

	STATE	BOSTON	OTHER CITIES	TOTAL
Reinstated during probationay period . . . . .	—	—	8	8
Resignation . . . . .	11	8	9	28
Position abolished . . . . .	—	—	2	2
Sickness . . . . .	99	240	667	1,006
Leave of absence . . . . .	22	74	152	248
Lack of Work . . . . .	60	—	443	503
Lack of Funds . . . . .	16	4	241	261
Cause . . . . .	11	53	87	151
Totals . . . . .	219	379	1,609	2,207

## COMPARISON WITH PREVIOUS YEARS

1940 . . . . .	219	379	1,609	2,207
1939 . . . . .	248	419	3,220	3,887
1938 . . . . .	123	484	2,638	3,245

# NUMBER OF PRESENT EMPLOYEES CLASSIFIED UNDER CIVIL SERVICE RULES

JURISDICTION	OFFICIAL DIVISION				LABOR DIVISION			GRAND TOTAL
	Dis. Vets.	Vets.	Civilians		Vets.	Civilians		
			Male	Female		Male	Female	
<i>Commonwealth</i>	251 <sup>3</sup>	1,190 <sup>22</sup>	3,308	4,403	497 <sup>1</sup>	220	148	10,017
<i>Cities</i>								
Attleboro	—	23	87	23	—	—	—	133
Beverly	—	45	174	39	—	—	—	258
Boston	133	2,659 <sup>34</sup>	3,563	1,444	1,371 <sup>5</sup>	1,776	961	11,907
Brockton	5	96	271	94	40	447	34	987
Cambridge	6	261 <sup>4</sup>	545	153	243	406	124	1,738
Chelsea	—	86 <sup>1</sup>	194	33	14	86	12	425
Chicopee	2	57 <sup>1</sup>	207	32	16	70	18	402
Everett	4	96	205	38	45	55	35	478
Fall River	1	290 <sup>1</sup>	340	102	111	116	71	1,031
Fitchburg	1	62	175	49	55	98	3	443
Gardner	—	13	95	13	7	54	5	187
Gloucester	8	27	174	23	—	—	—	232
Haverhill	1	67 <sup>1</sup>	197	83	—	—	—	348
Holyoke	5	110	310	81	44	294	31	875
Lawrence	15	243 <sup>2</sup>	380	81	45	355	26	1,145
Leominster	1	14 <sup>1</sup>	107	16	—	—	—	138
Lowell	13	211 <sup>3</sup>	402	132	100	215	24	1,097
Lynn	26	232 <sup>3</sup>	335	112	167	192	69	1,133
Malden	2	96	193	55	51	229	9	635
Marlboro	3	28	82	12	7	35	1	168
Medford	10	98	218	54	71	144	23	618
Melrose	1	30	102	18	—	—	—	151
New Bedford	5	317 <sup>1</sup>	411	140	62	141	36	1,112
Newburyport	2	10	80	10	—	—	—	102
Newton	8	116 <sup>3</sup>	296	126	128	304	29	1,007
North Adams	1	21	80	29	13	69	1	214
Northampton	1	31	89	19	—	—	—	140
Peabody	3	40	146	16	—	—	—	205
Pittsfield	—	51 <sup>1</sup>	183	44	28	144	3	453
Quincy	7	100 <sup>1</sup>	315	98	51	403	90	1,064
Revere	3	61	160	29	17	58	—	328
Salem	3	54	185	33	—	—	—	275
Somerville	3	194 <sup>2</sup>	298	111	131	116	29	882
Springfield	6	301 <sup>2</sup>	803	312	199	599	121	2,341
Taunton	—	47	204	46	—	—	—	297
Waltham	3	47	185	52	32	115	8	442
Westfield	—	21	111	27	—	—	—	159
Woburn	1	17	83	15	—	—	—	116
Worcester	14 <sup>2</sup>	525 <sup>3</sup>	679	372	309	525	253	2,677
<i>Towns</i>								
Acton	—	1	—	—	—	—	—	1
Adams	—	—	13	—	—	—	—	13
Agawam	—	1	2	—	—	—	—	3
Amesbury	—	14	49	—	—	—	—	63
Amherst	—	—	1	—	—	—	—	1
Andover	—	7	37	—	—	—	—	44
Arlington	1	30	178	41	17	159	—	426
Athol	—	5	54	—	—	—	—	59
Auburn	—	—	1	—	—	—	—	1
Avon	—	1	—	—	—	—	—	1
Ayer	—	—	4	—	—	—	—	4
Barnstable	—	6	16	—	—	—	—	22
Bedford	—	2	—	—	—	—	—	2
Bellingham	—	—	1	—	—	—	—	1
Belmont	—	23	61	—	—	—	—	84
Billerica	—	—	6	—	—	—	—	6
Braintree	—	4	26	—	—	—	—	30
Bridgewater	—	—	4	—	—	—	—	4
Brookline	7	99 <sup>1</sup>	305	93	71	217	29	821
Canton	—	2	28	—	—	—	—	31

Small figures indicate female veterans.

NUMBER OF PRESENT EMPLOYEES CLASSIFIED  
UNDER CIVIL SERVICE RULES—*Continued*

JURISDICTION	OFFICIAL DIVISION				LABOR DIVISION				GRAND TOTAL
	Dis. Vets.	Vets.	Civilians		Vets.	Civilians			
			Male	Female		Male	Female		
Clinton . . . . .	—	10	44	—	—	—	—	54	
Cohasset . . . . .	—	—	10	—	—	—	—	10	
Concord . . . . .	—	—	1	—	—	—	—	1	
Dalton . . . . .	—	1	5	—	—	—	—	6	
Danvers . . . . .	—	4	73	—	—	—	—	77	
Dedham . . . . .	1	15	45	1	13	11	1	87	
Dracut . . . . .	—	1	—	—	—	—	—	1	
Easthampton . . . . .	—	4	38	—	—	—	—	42	
Easton . . . . .	—	—	7	—	—	—	—	7	
Fairhaven . . . . .	—	1	1	—	—	—	—	2	
Falmouth . . . . .	—	4	33	—	—	—	—	37	
Foxborough . . . . .	—	1	4	—	—	—	—	5	
Frammingham . . . . .	—	18	68	—	—	—	—	86	
Franklin . . . . .	—	1	11	—	—	—	—	12	
Great Barrington . . . . .	—	1	6	—	—	—	—	7	
Greenfield . . . . .	—	2	29	—	—	—	—	31	
Hadley . . . . .	—	—	4	—	—	—	—	4	
Hardwick . . . . .	—	—	1	—	—	—	—	1	
Holbrook . . . . .	—	—	2	—	—	—	—	2	
Holliston . . . . .	—	—	1	—	—	—	—	1	
Hudson . . . . .	—	2	31	—	—	—	—	33	
Hull . . . . .	—	1	92	—	—	—	—	93	
Ipswich . . . . .	—	1	12	—	—	—	—	13	
Lee . . . . .	—	—	2	—	—	—	—	2	
Lexington . . . . .	—	4	15	—	—	—	—	19	
Ludlow . . . . .	—	3	16	—	—	—	—	19	
Manchester . . . . .	—	—	8	—	—	—	—	8	
Marblehead . . . . .	—	10	54	1	—	—	—	65	
Maynard . . . . .	—	—	9	—	—	—	—	9	
Medfield . . . . .	—	—	1	—	—	—	—	1	
Medway . . . . .	—	—	1	—	—	—	—	1	
Merrimac . . . . .	—	1	—	—	—	—	—	1	
Methuen . . . . .	1	16	63	—	—	—	—	80	
Milford . . . . .	—	22	47	—	—	—	—	69	
Millis . . . . .	—	—	1	—	—	—	—	1	
Milton . . . . .	—	20	52	—	—	—	—	72	
Montague . . . . .	—	—	4	—	—	—	—	4	
Nahant . . . . .	—	1	11	—	—	—	—	12	
Nantucket . . . . .	—	2	9	—	—	—	—	11	
Natick . . . . .	—	13	43	—	—	—	—	56	
Needham . . . . .	—	4	14	—	—	—	—	18	
Norfolk . . . . .	—	—	1	—	—	—	—	1	
North Andover . . . . .	—	1	30	—	—	—	—	31	
No. Attleboro . . . . .	—	17	53	—	—	—	—	70	
Northbridge . . . . .	—	—	2	—	—	—	—	2	
Norwood . . . . .	—	30	104	27	30	79	4	274	
Oak Bluffs . . . . .	—	—	2	—	—	—	—	2	
Orange . . . . .	—	—	3	—	—	—	—	3	
Palmer . . . . .	—	5	11	—	—	—	—	16	
Plymouth . . . . .	—	9	32	—	—	—	—	41	
Randolph . . . . .	—	—	11	—	—	—	—	11	
Reading . . . . .	—	4	15	—	—	—	—	19	
Rockport . . . . .	—	1	6	—	—	—	—	7	
Saugus . . . . .	1	8	32	—	—	—	—	41	
Scituate . . . . .	—	7	50	—	—	—	—	57	
Sharon . . . . .	—	—	8	—	—	—	—	8	
Shrewsbury . . . . .	—	1	11	—	—	—	—	12	
Southbridge . . . . .	—	10	25	—	—	—	—	35	
South Hadley . . . . .	—	2	8	—	—	—	—	10	
Stoneham . . . . .	—	5	13	—	—	—	—	18	



NUMBER OF PRESENT EMPLOYEES  
UNDER CIVIL SERVICE RULES—*Continued*

JURISDICTION	OFFICIAL DIVISION				LABOR DIVISION				GRAND TOTAL
	Dis. Vets.	Vets.	Civilians		Vets.	Civilians			
			Male	Female		Male	Female		
Stoughton . . . . .	—	6	20	—	—	—	—	35	
Swampscott . . . . .	—	10	36	—	6	19	—	71	
Tewksbury . . . . .	—	—	1	—	—	—	—	1	
Tisbury . . . . .	—	—	3	—	—	—	—	3	
Tyngsborough . . . . .	—	—	1	—	—	—	—	1	
Wakefield . . . . .	—	3	19	—	—	—	—	22	
Walpole . . . . .	—	—	10	—	—	—	—	10	
Ware . . . . .	—	1	11	—	—	—	—	12	
Wareham . . . . .	—	1	17	—	—	—	—	18	
Watertown . . . . .	2	48	167	52	3	203	2	477	
Webster . . . . .	—	9	31	—	—	—	—	40	
Wellesley . . . . .	—	14	34	—	—	—	—	48	
West Bridgewater . . . . .	—	—	4	—	—	—	—	4	
Westford . . . . .	—	—	1	—	—	—	—	1	
Weston . . . . .	—	1	—	—	—	—	—	1	
West Springfield . . . . .	—	17	34	—	—	—	—	51	
Westwood . . . . .	—	1	1	—	—	—	—	2	
Weymouth . . . . .	—	8	106	—	—	—	—	114	
Winchendon . . . . .	—	1	4	—	—	—	—	5	
Winchester . . . . .	—	5	39	—	—	—	—	44	
Winthrop . . . . .	—	12	54	—	—	—	—	66	
Commonwealth . . . . .	251 <sup>3</sup>	1,190 <sup>22</sup>	3,308	4,403	497 <sup>1</sup>	220	148	10,017	
Cities . . . . .	297 <sup>2</sup>	6,797 <sup>66</sup>	12,664	4,166	3,357 <sup>5</sup>	7,046	2,016	36,343	
Towns . . . . .	13	596 <sup>1</sup>	2,673	215	140	688	36	4,361	
Totals . . . . .	561 <sup>5</sup>	8,583 <sup>89</sup>	18,645	8,784	3,994 <sup>6</sup>	7,954	2,200	50,721	

Small figures indicate female veterans.

EMPLOYEES DURING THE TEN YEARS ENDING NOVEMBER 30, 1940

Year	Commonwealth	Cities	Towns	Totals
1940 . . . . .	10,017	36,343	4,361	50,721
1939 . . . . .	10,282	35,482	4,062	49,826
1938 . . . . .	10,452	35,705	3,844	50,001
1937 . . . . .	8,396	35,112	3,284	46,792
1936 . . . . .	7,242	34,421	3,037	44,700
1935 . . . . .	6,810	34,382	2,969	44,161
1934 . . . . .	6,566	34,312	2,914	43,792
1933 . . . . .	6,350	33,932	2,260	42,542
1932 . . . . .	6,411	34,923	2,207	43,541
1931 . . . . .	6,493	38,495	2,137	47,125

